

EXAMINER'S AMENDMENT & STATEMENT OF REASONS FOR ALLOWANCE

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Amendments & Claim Status

[1] This “Examiner’s Amendment & Statement of Reasons for Allowance” is responsive to the telephone interview conducted Oct. 21, 2009 (the “Interview”), and “Response to Office Action (Amendment) received Dec. 8, 2009. See attached “Interview Summary”, Paper No. 20091020. Claims 21-32 and 34-38 remain pending; claim 33 cancelled; claims 1-20 and 39-41 withdrawn.

Response to Arguments

Remarks Persuasive regarding Rejections Under 35 U.S.C. § 103

[2] The Interview regarding rejected Claims 21-32 and 34-38 under 35 U.S.C. § 103(a) as being unpatentable over "Efficient Use of Local Edge Histogram Descriptor", Proceedings ACM Multimedia 2000 Workshops, 11/4/2000, ACM International Multimedia Conference ("Park") in view of "Efficient Use of MPEG-7 Edge Histogram Descriptor", vol. 24, no. 1, 2/2002 ("Won"), have been respectfully and fully considered, and is found persuasive.

Applicant directed the Examiner to combine the “Declaration Under 37 C.F.R. § 1.132” filed Apr. 27, 2009 (“Declaration A”) and the “Declaration Under 37 C.F.R. § 1.132” filed Jul. 31, 2009 (“Declaration B”), not that Declaration B replaces Declaration A. The Examiner believes the combination of Declaration A and Declaration B is now a proper attribution under M.P.E.P. § 716.10, and the secondary reference Won used in the § 103(a) rejections is no longer applicable.

The secondary reference Won's authorship is Chee Won, Dong Park, and Soo-Jun Park. Applicant's inventorship is Chee Won, Soo-Jun Park, Sung-Hee Park, Myang Jang, and Sang

Park. Declaration B declares that the portions of Won relevant to Claims 1-38 originated with or were obtained from Applicant's inventorship. However, Dong Park is not a part of Applicant's authorship, but an author of the secondary reference Won. Declaration A declares that Dong Park did not contribute to the portions of Won relevant to Claims 1-38.

Thus, it has been shown that the relevant portions to Claims 1-38 of the Won secondary reference (whose authorship contains Chee Won, Dong Park, and Soo-Jun Park) were attributed to Chee Won, Soo-Jun Park, Sung-Hee Park, Myang Jang, and Sang Park (Applicant's inventorship), and not Dong Park.

Claim Rejections - 35 U.S.C. § 103

[3] In response to the Interview, the previous 35 U.S.C. § 103 rejections are withdrawn.

Formal Examiner's Amendment

[4] This formal Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Amendment to the Claims

Claim 1, line 21: "histogram bins for said each target ~~video~~ video sequence by using 5 non-linear inverse quantization".

Allowable Subject Matter

[5] Claims 21-32 and 34-38 allowed.

Reasons for Allowance

[6] The following is an examiner's statement of reasons for allowance:

The secondary reference Won used in the § 103(a) rejections is no longer applicable (see above).

Regarding Claim 21, while the prior art of record discloses Claim 21, Oct. 15, 2008 (see "Detailed Action" at p. 6-7, Jan. 27, 2009), it would not have been obvious to teach wherein the step b) includes converting each of the L x 5 quantization index values into L x 5 representative

edge histogram bins for said each target video sequence by using 5 non-linear inverse quantization tables.

[7] Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

[8] Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID P. RASHID whose telephone number is (571)270-1578 and fax number (571)270-2578. The examiner can normally be reached Monday - Friday 7:30 - 17:00 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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